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C O N F I D E N T I A L SECTION 01 OF 03 RANGOON 000882

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SUBJECT: SENIOR GOB OFFICIAL DISCUSSES TIP AND DRUG ISSUES,
THE NLD, AND THE NATIONAL CONVENTION

Classified By: COM Carmen Martinez for Reasons 1.4 (b,d)

1. (C) Summary: Minister of Home Affairs Colonel Tin Hlaing says that while the SPDC gives "regular" consideration to releasing ASSK, the GOB will not repeat a 1995 "mistake" of freeing the NLD leader that led to the collapse of the National Convention. The Minister, while cordial, criticized our recent TIP report on Burma, dismissed concerns over forced labor, cited unspecified progress in fighting corruption, and underscored GOB expectations that the UWSA will cease poppy cultivation in 2005. The COM urged greater dialogue on TIP issues, called for an unambiguous statement on the free association of Burmese citizens with the ILO, and pressed for the release of ASSK and U Tin Oo. End Summary.

2. (U) On July 9 COM and P/E chief called on the Minister for Home Affairs, Colonel Tin Hlaing, and exchanged views on a variety of human and drug trafficking issues as well as Burma's National Convention. On June 16 COM had provided several relevant GOB and SPDC officials with copies of the annual TIP report and requested an opportunity to discuss trafficking issues. To date, Tin Hlaing is the only senior official to respond to our request.

TIP: Tears at Tier 3

3. (SBU) Col Tin Hlaing said he was "greatly discouraged" to read the TIP report on Burma, complaining that the conclusions were biased and that the global report had placed too much emphasis on countries of origin. He lamented that Burma remained a Tier 3 country while numerous countries with inferior plans of action and legislative efforts had earned Tier 2 rankings.

4. (C) Tin Hlaing said that the GOB had prepared, with PM Khin Nyunt's blessing, a new law on human trafficking. However, UN agencies had advised the GOB not to issue the new legislation before allowing experts to review and comment. Tin Hlaing said that the GOB had "hastily" issued money laundering legislation last year and was now facing "hiccups" with FATF and the international community. Therefore, according to the Minister, the GOB plans to "go slow" on the trafficking legislation, but will have the new law in place by October when Burma hosts a regional "Inter-Ministerial, Inter-Country Consultation on Human Trafficking."

5. (SBU) The COM observed that while the GOB had improved cooperation with UN agencies and NGOs, Burma's Tier 3 designation was primarily a result of forced labor practices. The COM also noted that although the GOB had issued a comprehensive statement on June 26 detailing trafficking convictions and sentences, this information was provided too late for the TIP report--more than a week after publication of the report and months after initial Embassy requests for updates on TIP-related actions. "You can't give us too much information," the COM said, urging Tin Hlaing to strive for greater dialogue with the USG on trafficking issues.

Clarify the ILO Issue

6. (C) Minister Tin Hlaing alleged that the practice of forced labor had declined considerably in Burma in the absence of major military offensives against ethnic insurgent groups. He claimed that the Burmese Army (BA) is training battalions to use pack animals instead of humans and the BA is also constructing roads to remote border areas, thereby reducing the need for forced portering. He also said that the GOB held a weekly meeting at the Ministry of Defense to review child soldier issues and had recently invited UNICEF to visit and inspect army recruitment centers.

7. (C) The COM observed that the GOB's poor human rights and labor practices had delayed implementation of the ILO's Plan of Action. She raised the recent case of three individuals convicted of treason for having contact with the ILO and urged the GOB to issue a statement clarifying that association with the ILO is not a punishable act. Tin Hlaing claimed that the judge in the ILO case had made an "error," but that the courts had subsequently reduced the sentences and excluded mention of the ILO. The COM pressed back and

said that reducing the death sentences did not address the larger problem that contact by Burmese citizens with the ILO was understood to be a criminal offense. "You must clarify this issue with an unambiguous public statement," urged the COM.

Drugs: Shortcomings and Goings

18. (SBU) The COM raised a recent GOB announcement regarding supervision of controlled precursor chemicals. Minister Tin Hlaing said that a law on precursor chemicals is already in place, but explained that his Ministry had recently issued related guidelines to improve implementation. He said that, given recent success in reducing poppy cultivation and opium production, the GOB now placed greater emphasis on stimulants (ATS) and precursor chemicals.

19. (C) The COM asked Tin Hlaing about the GOB's reaction should the United Wa State Army (UWSA) not adhere to its deadline to cease poppy cultivation in 2005. The Minister grew defensive and declared that the Wa would keep their word and the GOB fully expected cultivation to end by September 2005. He said the GOB's most significant concern was that drug syndicates would continue to operate along the border area, with a greater focus on ATS. In this regard, Burma hoped to achieve improved cooperation with China and Thailand on counter-ATS activities.

110. (C) We noted to Tin Hlaing that Burma has made gains in reducing poppy cultivation and establishing drug-related laws and regulations, adding that we hoped to repeat a successful joint opium yield survey again in 2005. However, we told the Minister, the GOB needed to address significant shortcomings in combating corruption and enforcing existing narcotics-related legislation--including taking action against drug kingpins such as Wei Hsueh Kang. Tin Hlaing claimed, but did not offer details, that the GOB had taken "serious action" against corruption, including the recent arrest of Bao Yu Yi, the notorious younger brother of UWSA leader Bao Yu Chen (Note: To our knowledge, the GOB played no role in the arrest. End note). Tin Hlaing also claimed that the GOB could do nothing about Wei Hsueh Kang "because he is no longer in the country."

National Conventioneers Take a Break

11. (C) Tin Hlaing said that the National Convention had adjourned on July 9 because "delegates need a break after two months of exchanging views," but would reconvene in October or November. COM asked if there was a possibility for the NLD to participate when the NC reconvened and Tin Hlaing replied, "we would consider such a request, because we don't want them entirely out of the process."

112. (C) COM pressed for the release of NLD leaders ASSK and U Tin Oo, observing that Tin Hlaing has previously told her, the COM, that he "doesn't like putting Burmese people into jail." The Minister replied that the SPDC gives serious consideration to releasing the two NLD leaders and regularly discusses international community views on this issue. However, he added, "we must consider internal implications (of their release). We will not repeat our mistake (of 1995) when we released ASSK and delegates subsequently withdrew from the National Convention (leading to the collapse of the Convention)."

Comment

113. (C) We are hopeful that Tin Hlaing's response to our request for a discussion on TIP issues may lead to a more regular dialogue at senior GOB levels on human and drug trafficking. Nonetheless, the paltry efforts to rectify problems associated with the ILO cases, as well as the tardy June 26 clarification provided on TIP actions, give us every indication that the GOB's modus operandi will continue to be "too little, too late" on many of these issues.

114. (C) Tin Hlaing played a key role in negotiations with ASSK leading up to the reconvening of the National Convention in May and has first-hand knowledge of the various compromises that the NLD was willing to make in order to join the Convention process. However, he also knows that SPDC Chairman Than Shwe nixed an arrangement leading to ASSK's release. Tin Hlaing's observations that the SPDC will not repeat the 1995 "mistake" underscores that the regime likely intends to keep ASSK and U Tin Oo under house arrest for the foreseeable future. End Comment.
Martinez